

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the)
application of: Michael Wandell)
Application No.: 10/706,321) Examiner: Lore Janet
) Ramillano
Filed: November 12, 2003) Art Unit: 1743
Title: QUANTITATIVE ANALYSIS) Confirmation No.: 6492
OF A BIOLOGICAL)
SAMPLE OF UNKNOWN)
QUANTITY)

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF NON-COMPLIANCE OF APPEAL BRIEF

In response to the notification of non-compliance of Applicant's appeal brief filed on January 12, 2009, Applicant has amended Section V in order to remove the reference to Applicant's published application (2005/0130310 Wandell). Reference is now made directly to the application as filed. Applicant has also added information in the Evidence Appendix. Finally, the portion of the statement, considered argumentative as part of section VI has been moved as suggested to Section VII. The appeal brief attached hereto is now in full compliance with 37 CFR 41.37.

The Commissioner is hereby authorized to charge any underpayment or credit any overpayment to Deposit Account No. 22-0259 or any payment in connection with this communication, including any fees for extension of time.

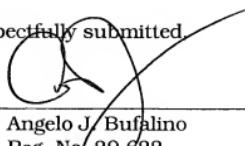
that may be required. The Examiner is invited to call the undersigned if such action might expedite the appeal of this application.

Dated: March 23, 2009

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Respectfully submitted

By:


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